

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SHANNI SNYDER,

Plaintiff,

v.

MICHAEL DAUGHERTY, et al,

Defendants.

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) 2:11-cv-00879-MRH
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MOTION FOR RECONSIDERATION OF ORDER ENTERED MARCH 18, 2013, GRANTING
MOTION TO MAKE WITNESSES AVAILABLE

Plaintiff Shanni Snyder ("Snyder") moves this Court to reconsider its Order of March 18, 2013, granting the motion to make witnesses available.

1. For over twenty-five (25) years, this Court utilized a post office box for the filing of pleadings.
2. When this case began, the only method for a *pro se* litigation to mail pleadings to the Court was via the post office box.
3. Sometime in 2012, without any notice being provided to *pro se* litigants of the address change, the Clerk changed the address for mailing pleadings to this Court.¹
4. Plaintiff did serve a timely response to the motion and did mail it to the Clerk's post office box for filing. To date, it has not arrived.
5. As can be shown from the envelopes filed by the Clerk in this case as to multiple pleadings and documents submitted by mail, Plaintiff ordinarily addressed the communications to the post office box.
6. Therefore, until recently, she had no information or cause to believe that the post office


¹ The Clerk's office advised that it believes notices were sent; however, despite multiple litigations before this Court, the undersigned never received any notice that the filing procedure changed. The Clerk's office advised that they believe that the address was changed during 2012 and the post office box discontinued.

box was discontinued. Plaintiff began to realize something was amiss when her motion to compel depositions did not arrive. For this reason, she remailed a copy to the Court via certified mail. The certified copy did reach the Court. However, Plaintiff noticed that the Post Office altered the address. Viewing this alteration was the first notice that Plaintiff had of the new filing procedure.

7. This Court needs to also consider that Plaintiff does not receive email notifications of pleadings and motions filed in this case. The Plaintiff does not have the ability to upload files using ECF and does not receive email notifications of docket activity.
8. Therefore, Plaintiff did not default and fail to lodge a response to the motion. Instead, upon receive of the motion via ordinary mail, she mailed a timely response. This Court, to date, has not received that response.
9. Defendants, however, did receive the response by mail, fax, and courier as Plaintiff went through great lengths to make sure they were served.
10. As such, granting reconsideration would provide no prejudice to the defendants.
11. A copy of the response to the motion is attached hereto.
12. This Court's Order lacks basis in the Federal Rules of Civil Procedure and places the burden on the Plaintiff to assist the well-funded Defendants with their investigation and discovery.
13. Plaintiff could not locate any case law that allows such an objectionable procedure to take place.
14. Moreover, this Court must consider that Plaintiff is proceeding *in forma pauperis* in this matter.
15. If anything, the most Plaintiff should be required to do, is provide the Defendants with all information known about the whereabouts of the people that they are seeking to depose.

WHEREFORE, Plaintiff respectfully requests that this Court vacate its March 18, 2013, Order, reconsider it based on Plaintiff's responsive document, and deny the motion.

Respectfully submitted,



Shanni Snyder

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(412) 774-2210 Facsimile

PLAINTIFF

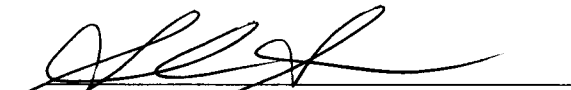
CERTIFICATE OF SERVICE

I, Shanni Snyder, certify that I mailed a true copy of the foregoing to the following persons on this 19day of March, 2013, by First Class Mail:

Clerk, United States District Court
700 Grant Street
Pittsburgh, PA 15219

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Shanni Snyder